

Serial #: 09/444,739
In further reply to Office action mailed: 02/26/2004
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial #: 09/444,739
Applicant: Michael G. Mikurak
Filed: November 22, 1999
Title: TECHNOLOGY SHARING DURING DEMAND AND SUPPLY PLANNING IN A
NETWORK-BASED SUPPLY CHAIN ENVIRONMENT

TC/AU: 3623
Examiner: M. Irshadullah
Docket #: 060021-335501

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CERTIFICATE OF TRANSMISSION
I hereby certify under 37 CFR 1.8 that this correspondence is being transmitted by facsimile to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" via the facsimile number 703-872-9306 on May 21, 2004.

Janet Byrne

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL RESPONSE

In response to the final Office Action mailed February 26, 2004 (hereinafter "Office Action"), Applicant filed an Amendment and Response, dated April 26, 2004, arguing that the Examiner, contrary to established case law, failed to consider a limitation presented in the preamble in determining whether the prior art cited by the Examiner rendered Applicant's claimed invention obvious under 35 U.S.C. § 103(a). Applicant now submits this Supplemental Response specifically regarding the relevance of *Dugan et al.*, U.S. Patent No. 6,363,411 B1 (hereinafter "*Dugan*"), and Applicant asserts that *Dugan* is irrelevant because

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APR 26 2004

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Janet Byrne
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Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

In response to the final Office Action mailed February 26, 2004 (hereinafter "Office Action"), please find the following sections:

Included in Document	Section	Starting Page
X	Amendments to the Claims as reflected by a Listing of Claims	2
X	Remarks/Arguments	22